

BILL NO. Z-87-04-10

ZONING MAP ORDINANCE NO. Z-

06-87

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. N-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is
hereby designated a R-1 (Single Family Residential) District
under the terms of Chapter 33 of the Code of the City of
Fort Wayne, Indiana of 1974:

Lawton Place Addition: Lots 7 thru 48 and Lot 52; and

L.M. Jones Subdivision: Lots 4 thru 25 and 31 thru 53,

and the symbols of the City of Fort Wayne Zoning Map No. N-
14, as established by Section 11 of Chapter 33 of the Code
of the City of Fort Wayne, Indiana are hereby changed
accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Bradbury
seconded by Edel, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the C:
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Way
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____.M., I

DATE: 4-14-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury
seconded by Edel, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 5-12-87

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-06-87
on the 12th day of May, 1987.

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 13th day of May, 1987
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of May
1987, at the hour of 11:00 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE _____

I/We The Spy Run Neighborhood Association

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-3/R-2 District to a/an R-1 District the property described as follows:

Lawton Place Addition: Lots 7 thru 48 and Lot 52 and L.M. Jones Subdivision: Lots

4 thru 25 and Lots 31 thru 53

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

500 - 700 blocks of Lawton Place and 500 - 700 blocks of Riverside Avenue

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

See Attached Petitions

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Tom Pearson, Neigh. Assoc. Pres.

(Name)

613 Wagner Street 45605

(Address & Zip Code)

H: 424-6110

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Lawton Pl.

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

184-7516	Robert E. Huston	720 Lawton Pl.	Robert E. Huston
124-6849	Donald J. Bobay	718 Lawton Pl.	Donald J. Bobay
426-8790	Ted A. Horn	717 Lawton Pl.	Ted A. Horn
424-1028	Shirley Kottka	721 Lawton Pl.	Shirley Kottka
424-2851	Diana K. Richard	732 Lawton Pl.	Diana K. Richard
424-8686	Anne Ribert	424 Lawton Pl.	Anne Ribert
424-8529	Andrew J. Langohr	644 Lawton Place	Andrew J. Langohr
424-6596	Paul Wendelin	645 Lawton Pl.	PAUL WENDELIN
424-6596	Adele Wendelin	645 Lawton Pl.	ADELE WENDELIN
424-8382	Sharon E. Watkins	701 Lawton Pl.	Sharon E. Watkins
424-7587	Debra Anderson	125 Lawton Place	Debra Anderson
424-6394	STEVE HEATH CALL BACK	702 LAWTON PLACE	Stephen W. Heath
422-0764	PATRICIA THURBER	648 LAWTON PL.	Patricia Thurber

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

Receipt No. _____

Intended Use _____

W. John Meinen 631 Lawton Pl. W. John Meinen

EDWARD J. SCOTT 635 LAWTON PL. Edward J. Scott

GERTRUDE Rohrs 630 Lawton Pl. Gertrude Rohrs

Georgi Schneider 622 Lawton Pl. Georgi Schneid

BERALDINE ROBINSON 604 LAWTON PL Beraldine Robinson

Bernadette Roberts 603 LAWTON PL. Bernadette Roberts

Edmund Roth 667 Lawton Pl Edmund Roth

Olive Santon 627½ Lawton Pl. Olive Santon

J.M. PEQUIGNOT 615 LAWTON PL *J.M. Pequignot*

Lytle Howard 621 Lawton Pl. Box S Howard

Barney Woods 631 Lawton Pl Penns Woods

Tom Tanielkessi 621 Lawton Pl Tom Tanielkessi

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

483-6651

Wm. M^cBee

(643 LAWTON PL)
5271 Eastwick

X William L. M^cBee

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

432-3404 Richard Knight

422-7963 Martin Hennigutt

" Breck Ruef

(640 Lawton Pl.)
8901 Breakwater

616 Lawton Pl

"

[Signature]
[Signature]
[Signature]

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

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Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

484-6714

Evelyn M. Carpenter

711 LAWTON PL
4328 Dodge Av

X Evelyn M. Carpenter

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

37-5186

Anthony J. Reincke

(620 LAWTON PL)
11422 Westwind Dr.
Ft. Wayne, IN

X ~~Anthony J. Reincke~~ *Anthony J. Reincke*

(Phone#)

(Name)

(Address)

(Signature)

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

483-7010

Herbert Kibellus

610 LAUTON PLACE
608 Mildred

X *[Signature]*

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

(626 LAWTON)

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

501-374-0100

~~483-9394~~

483-9394

Wm. Rafter II

Carol Rafter

625 W. Capitol Little Rock, Arkansas

~~2907 N. Anthony~~

2907 N. Anthony

X Wm. Rafter II POA/CR

X Carol Rafter

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802

Telephone Number: 423-7571

Receipt No. _____

Date Filed _____

Intended Use _____

Phone # \downarrow

~~John Smith~~

(J.C.G. LAUTER BL)

1516 Al. Hunt + Co

Acosta, PL 42610

(Phone#).

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

Lawton Place

Riverside

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

22-2710	Connie Eutsler	645 Riverside	Connie Eutsler
424-0353	Paul Schneider	639 Riverside	Paul Schneider
424-0353	Kathleen E. Schneider	639 Riverside Ave.	Kathleen E. Schneider
422-7225	Anita Schneider	705 Riverside	Anita Schneider
422-7225	Carl Schneider	705 Riverside Ave.	Carl Schneider
424-1148	Opal Kirkpatrick	633 Riverside	Opal Kirkpatrick
424-1395	MINNIE BRAUN	728 Riverside	Minnie Braun
424-6231	Olga Mae Klopffenstein Bronson Klopffenstein	710 Riverside	Olga Mae Klopffenstein Bronson Klopffenstein
—	JOHN R. PONTIUS	701 RIVERSIDE ME	John R. Pontius
—	Ruth E. Pontius	701 RIVERSIDE ME	Ruth E. Pontius
—	Dorothy C. SAVIO	702 Riverside	Dorothy C. Savio
426-2332	Dorothy SAVIO	702 Riverside	Dorothy Savio
426-2332	JAMES M. SAVIO	702 Riverside	James M. Savio
424-8608	Gertrude Shilts	515 Riverside	Gertrude Shilt
424-8608	Owen D. Shilts	515 Riverside	Owen D. Shilts
422-9692	Kathy Keeley	716 Riverside	Kathy Keeley
422-9692	BRUCE KEELEY	716 Riverside	Bruce Keeley
426-9823	I VA MILLER	619 RIVERSIDE	Iva Miller
424-7144	NANCY WILSON	607 RIVERSIDE	Nancy Wilson
424-7144	BERLIN WILSON	607 RIVERSIDE	Berlin Wilson
—	STEPHEN SWICK	605 Riverside	Stephen Swick

(Phone#)

(Name)

(Address)

(Signature)

Receipt No. _____

Date Filed _____

Intended Use

124-2846 DENNIS THATCHER 617 RIVERSIDE Hampton

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

Date Filed _____

Intended Use _____

Riverside Ave

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

Jessie Kump 629 RIVERSIDE AVE

Assie Kemp

426-5914 Audrey Stockton 624 Riverside

Andrew Stockton

426-0926 ROBERT WARTER 724 RIVERSIDE AVE

Robert H. Hays

426-0926 Barbara S. Hunter 724 Riverside Ave

Barbara J Harter

Ingrid Churchill (aka) 6300 River side Ave

Daniel Churchill & Co

~~426-2870 B. J. a. Tom. Dixon and Riverside A.~~

~~1501-1502~~

(Phone#)

(Name)

(Address)

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7

Telephone Number: 423-7571

Receipt No. _____

Date Filed _____

Intended Use _____

I/We, the undersigned, certify that I am We are the owner (s) of fifty-one percentum (51%) or more of the property described in this petition.

FT Wayne Ind

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

Down-zoning of
Riverside from R-2
to R-1.

Intended Use _____

Tel.

Signature(s)

Riverside Address

Jon Niemeyer

John K. Henry

725 Riverside

Jones Wynd

1966-1967

11

(Signature)

City Plan Commission, City-County Building, Room 800, One Main Street
Fort Wayne, Indiana 46802 Telephone Number: 423-7571

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 14, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-04-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 20, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 27, 1987.

Certified and signed this
8th day of May 1987.



Robert Hutner
Secretary

Division of Community Development & Planning

1-01-01-10

2-07-04-10

BILL NUMBER

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

From R-3/R-2 to R-1

DETAILS

Specific Location and/or Address

500-700 Blocks of Lawton Place
500-700 Blocks of Riverside Avenue

Reason for Project

Discussion (Including relationship to other Council actions)

20 April 1987 - Public Hearing

John Meinzen, 631 Lawton Place stated that the residents are concerned about their neighborhood and are trying to enhance the quality of the area with the downzoning. He stated that on Lawton Place 71% of the homes in the area are owner occupied and 71% signed the petition. He stated that on Riverside Avenue 80% are owner occupied and 69% signed the petition, which is a combined rate of 68%. He stated that the land usage is presently 75% single family, 18% duplex, 6% multi-family and 1% is a vacant lot, which is a small park. He stated that this is the first phase of a planned three phase downzoning for the entire association. He stated they want the rezoning in order to stabilize the growth of the neighborhood, to prevent the growth of absentee landlords and to enhance the home and land values and to prevent a deterioration of parking in the area due to the multi-family dwellings.

Danna Ridenour, 738 Riverside, stated that she and her husband owned two properties in the are. She did not feel that a

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/ Proponents

Applicant(s)

Spy Run Neighborhood Assn

City Department

Other

Opponents

Groups or Individuals

Danna Ridenour

Basis of Opposition

-rezoning would not eliminat
parking problems in area

Staff Recommendation

☒ For ☐ Against

Reason Against

Board or Commission Recommendation

By

☒ For ☐ Against

☐ No Action Taken

☐ For with revisions to conditions
(See Details column for condition

CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other

☐ Pass (as amended) ☐ Hold

☐ Council Sub. ☐ Do not pass

DETAILS

rezoning would eliminate the parking problem in the area. She stated that even though there is parking behind the homes most people still park on the street. She stated that many of the families have more than one car. She stated that single family residences are rented to more than one person and they each have their own car. She stated that you can have absentee landlords even with single family dwellings.

Tom Pearson, 613 Wagner Street, President of the Spy Run Neighborhood Assn., stated that there is a parking problem in the area but it stands to reason that if you allow more homes to be made into multi-family dwellings it will generate more cars and more traffic.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

27 April 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation, motion carried.

Of the 8 members present 7 voted in favor of the motion one (1) did not vote.

POLICY/PROGRAM IMPACT**Policy or
Program
Change**☐

No

☐

Yes

**Operational
Impact
Assessment**

(This space for further discussion)

Project Start**Date** 20 March 1987**Projected Completion or Occupancy****Date** 8 May 1987**Fact Sheet Prepared by****Date** 8 May 1987**Patricia Biancaniello
Reviewed by****Date**

5/11/87

Reference or Case Number

ORIGINAL

COUNCILMAN'S DISTRICT No. _____

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE 500 - 700 Blocks of Lawton Place and the

500 - 700 Blocks of Riverside Avenue 3-87-04-10

EFFECT OF PASSAGE Property is presently zoned R-2 - Two Family Residential and
R-3 - Multi-Family Residential. Property will become R-1 - Single Family
Residential District.

EFFECT OF NON-PASSAGE Property will remain R-2 - Two Family Residential and
R-3 - Multi-Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____)

BILL NO. Z-87-04-10

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. N-14

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)X Do Pass

YES

NO

Janet G. Bradbury JANET G. BRADBURY
CHAIRPERSON

Charles B. Redd CHARLES B. REDD
VICE CHAIRMAN

Thomas C. Henry THOMAS C. HENRY

Paul M. Burns PAUL M. BURNS

Ben A. Eisbart BEN A. EISBART

CONCURRED IN 5-28-87
12

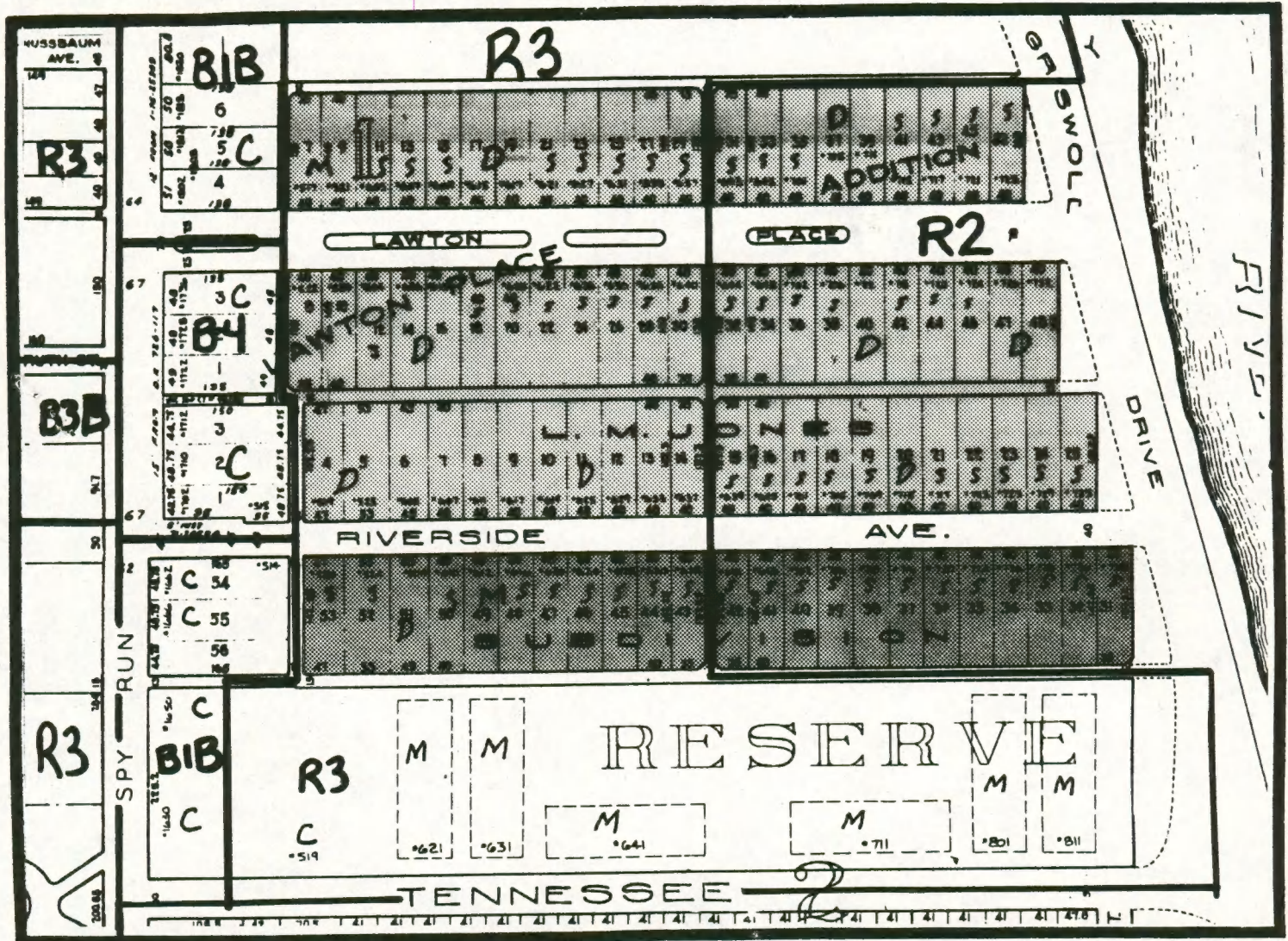
SANDRA E. KENNEDY
CITY CLERK

REZONING PETITION #2864

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R2/R3 DISTRICT TO AN R1 DISTRICT.

MAP NO. N-14

COUNCILMANIC DISTRICT NO. 3



ZONING:

R2 RESIDENTIAL DISTRICT
 R3 RESIDENTIAL DISTRICT
 BIB LIMITED BUSINESS 'B'
 B3B GENERAL BUSINESS 'B'
 B4 ROADSIDE BUSINESS

LAND USE:

S SINGLE FAMILY
 D DUPLEX
 C COMMERCIAL
 M MULTI-FAMILY

SCALE: 1" = 200'

DATE: 3-31-87

